

REMARKS

The Office Action dated April 16, 2003 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto. By this Amendment, claim 10 has been further amended to more clearly particularly point out and distinctly claim the invention. No new matter has been added or amendments made that narrow the scope of any elements of any claims. Accordingly, claim 10 is pending in this application and are submitted for consideration.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since this Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issue regarding further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally-rejected claims and (d) places the application in better form for appeal, should an appeal be necessary. The Amendment is necessary because it is made in reply to arguments raised in the rejection. Entry of the Amendment is thus respectfully requested.

Claim 10 was rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. 10-008101 to Matsukawa et al. ("Matsukawa"). The Examiner contends that the Matsukawa reference teaches all of the elements of the present invention.

Applicants respectfully traverse the Examiner's anticipation rejection. Claim 10 has been amended to obviate this rejection. Applicants respectfully submit that claim 10 recites subject matter that is neither disclosed nor suggested in Matsukawa.

In the present invention, Applicants amend claim 10 to specifically claim that the proportion of the surface area occupied by the surface openings to the total bearing surface is 10% or less. This amendment is fully supported in the Specification (page 11, paragraph 2). This feature claimed by the amendment improves the oil film pressure in the entire bearing clearance. Moreover, this feature increases the bearing rigidity, so that the bearing can be applied even if imbalance loading occurs due to the mounting of a disk, as in optical disk devices, or even if a high centrifugal force acts due to high speed driving. Matsukawa et al. fails to teach or suggest having the proportion of the surface area occupied by the surface openings to the total bearing surface be 10% or less. Therefore, it is respectfully submitted that the Applicants' invention, as set forth in claim 10, is not anticipated within the meaning of 35 U.S.C. § 102.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claim 10, and the prompt issuance of a Notice of Allowability are respectfully solicited.

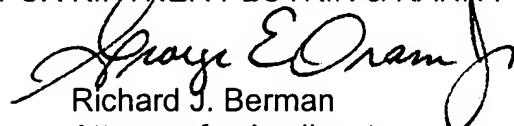
If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, the Applicant(s) respectfully petition(s) for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper,

may be charged to counsel's Deposit Account No. 01-2300, referencing docket number 100725-00068.

Respectfully submitted,

AREN'T FOX KINTNER PLOTKIN & KAHN PLLC



Richard J. Berman
Attorney for Applicants
Registration No. 39,107

27931

Customer No. 004372
1050 Connecticut Avenue, NW, Suite 400
Washington, DC 20036-5339
Telephone: (202) 857-6000

RJB/RN:ksm

Enclosure: Petition for Extension of Time (two months)